



PATENT
ATTORNEY DOCKET NO.: 053837-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

| | | |
|--|---|----------------------------------|
| In re Application of: |) | |
| Richard WISE |) | Confirmation No. 4205 |
| Application No.: 09/985,952 |) | Group Art Unit: 3653 |
| Filed: November 6, 2001 |) | Examiner: J. Rodriguez |
| For: APPARATUS AND METHOD FOR ISOLATING MATERIALS |) | Mail Stop Appeal Brief - Patents |

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Appeal Brief - Patents
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

APPELLANT'S BRIEF TRANSMITTAL FORM

1. Transmitted herewith is an Appellant's Brief Under 37 C.F.R. 1.192 (in triplicate), which is being submitted further to the Notice of Appeal filed August 24, 2004.

2. Additional papers enclosed.

340.00 DA

☐ Drawings: ☐ Formal ☐ Informal (Corrections)

☐ Information Disclosure Statement

☐ Form PTO-1449, ___ references included

☒ English-language Translation of DE 311387 (3 copies)

☐ Declaration of Biological Deposit

☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

5. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge \$340.00 to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS

By: *David B. Hardy*, FOR
REG. NO. 46,183
David B. Hardy
Reg. No. 47,362

Dated: October 25, 2004

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel.: (202) 739-3000